

AN ORDINANCE 100163

RATIFYING THE RETENTION OF COX SMITH MATTHEWS, INCORPORATED AND AUTHORIZING FUNDS IN THE AMOUNT OF UP TO \$300,000.00 FROM BUDGETED FUNDS PAYABLE TO THE FIRM FOR LEGAL SERVICES NECESSARY TO ASSIST CITY STAFF IN THE NEGOTIATIONS AND PLANNING FOR MAJOR DEVELOPMENT PROJECTS INVOLVING BOTH PRIVATE AND PUBLIC INVESTMENTS IN THE CITY SOUTH AREA, APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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WHEREAS, the City has initiated the City South Program to assist and encourage development in the southern portion of the existing City Limits and the areas annexed for Limited Purposes; and,

WHEREAS, a major development opportunity exists that would involve substantial private and public investments within the City South area and which would further the program's objectives; and,

WHEREAS, the City has retained the legal services of Cox Smith Matthews, Incorporated to assist City staff to perform necessary due diligence reviews, negotiate agreements and document the terms and conditions of the agreements; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS;

SECTION 1. The retention of Cox Smith Matthews, Incorporated to assist the City of San Antonio staff in negotiations of development agreements as part of the City South Project is ratified and payment of fees for legal services to the firm in the amount not to exceed \$300,000.00 is approved.

SECTION 2. Funds in the amount of \$300,000.00 are authorized to be encumbered in Cost Center 7001990001, General Ledger 5201040 entitled "Fees to Professional Contractors", Fund 11001000 entitled "General Fund" payable to Cox Smith Matthews, Inc. when a purchase order is issued.

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

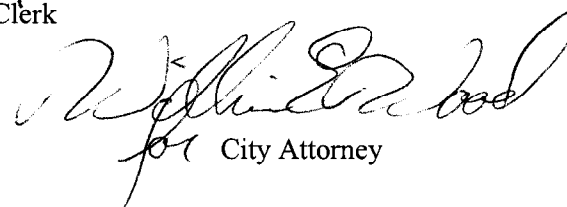
SECTION 4. This Ordinance shall be effective immediately upon passage by eight affirmative votes. Otherwise it shall be effective December 26, 2004.

PASSED AND APPROVED on this 16th day of December, 2004.


M A Y O R

ATTEST

City Clerk

APPROVED AS TO FORM

for City Attorney